

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENTS APPEALS AND INTERFERENCES

In re Carol Carter et al.)	
)	
Application No. 10/666,997)	Appeal No. 2010-009495
)	
Filed: September 18, 2003)	
_____)	

ORDER GRANTING REQUEST TO RESCHEDULE ORAL HEARING

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences had been set for Thursday, November 10, 2011. The notice setting the hearing was mailed to Applicants on October 20, 2011. The date Applicants received the notice is not apparent from the record. On October 27, 2011, a facsimile letter styled "Request to Reschedule Oral Hearing" was filed, Applicants requested that the oral hearing be rescheduled. The request has been granted.

According to counsel:

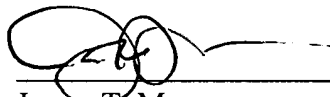
The undersigned counsel is lead counsel for the University Of South Florida Board Of Trustees which has recently intervened in Civil Action No: 2:10 cv-6908-TS currently pending in the United States District Court for the Eastern District of Pennsylvania (*ALA v. Avid v. SF*). A critical deposition in that case has been scheduled, pursuant to Letters Rogatory, for November 9-10, 2011 in London England. The deposition, given the Letters Rogatory and the number of parties involved, cannot be rescheduled.

For the reasons given above, it is:

Application No. 11/666,997
Appeal No. 2011-009495

Ordered that the request to reschedule the oral hearing is granted. No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

BOARD OF PATENT APPEALS
AND INTERFERENCES



James T. Moore
Vice Chief Judge
(571) 272-9797

Steven B. Kelber
Berenato & White, LLC
6550 Rock Spring Drive
Suite 240
Bethesda, Maryland 20817